

# **EXHIBIT 1**

Pittstown N.Y. April 10, 2012

1. I, Tolene VANVranken being duly sworn deponer  
 2. and says, I reside at 14 Los Woods Road, Pittstown  
 3. NY. My date of birth is [REDACTED] I have lived  
 4. at the above address for 3 years. I do not maintain  
 5. any form of log, journal or record of my daily  
 6. whereabouts and therefore I cannot recall or recreate  
 7. where I was on December 8, 2010. I can however,  
 8. state with 100% certainty that I was not at  
 9. the Rensselaer County Courthouse on that date.  
 10. Furthermore, if I had been, I definitely would  
 11. have remembered being in a room full of people,  
 12. waiting in line at a desk where Trey Smith was  
 13. standing, while he notarized my signature. This never  
 14. happened. In addition, I do not drive, and  
 15. therefore rely on my husband, Edward VANVranken  
 16. as my primary source of transportation. I asked  
 17. him and he too cannot recall our whereabouts on  
 18. this day, but he is 100% certain we were not at  
 19. the Rensselaer County Courthouse, on December 8, 2010.  
 20.  
 21.  
 22.  
 23.  
 24.  
 25.  
 26.  
 27.

Patrick Amento  
 Notary Public, State of New York  
 Qualified in Albany County  
 No. 01AN5080855  
 Commission Expirs June 23, 2015

SWORN TO Before me

This 10<sup>th</sup> DAY OF April, 2012

DO NOT WRITE BELOW THIS LINE

Apr 19 12 12:51p Paul

518-274-8709 p.2  
(WED) 4 11 2012 13:56/ST. 13:55/NO. 5000000778 P 3  
F 1 - 1

Pittstown NY April 10, 2012

1. I Jolene Vanranken are providing the following  
 2. samples of my signature. My signature has always looked  
 3. like this and has varied very slightly, if at all  
 4. through the years I sign my name the same way  
 5. everytime, and when signing legal documents, I typically  
 6. include my middle initial, the letter M  
 7. Jolene M Vanranken  
 8. Jolene M Vanranken  
 9. Jolene M Vanranken  
 10. Jolene M Vanranken  
 11. Jolene M Vanranken  
 12. Jolene M Vanranken  
 13. Jolene M Vanranken  
 14. Jolene M Vanranken  
 15. Jolene M Vanranken  
 16. Jolene M Vanranken  
 17. Jolene M Vanranken  
 18. Jolene M Vanranken  
 19. Jolene M Vanranken  
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 21.  
 22.  
 23.  
 24.  
 25. *Patricia J. Vanranken*  
 Notary Public - State of New York  
 Qualified in Albany County  
 No. 01AN504633  
 Commission Expires June 23, 2015  
 26.  
 27. *Patricia J. Vanranken*

DO NOT WRITE BELOW THIS LINE

Apr 19 12 12:51p Paul  
FRVN618-274-8709 p.3  
(WED) 4/11/2012 13:56/ST. 13:55/NO. 5000000778 P 2

PITTSBURGH, NY APRIL 10, 2012

1. I, Edward VanVranken, being duly sworn deposes  
 2. and says, I reside at 14 Log Wood Road, Pittstown, NY  
 3. with my wife Solene VanVranken. My date of birth  
 4. is [REDACTED]. My wife Solene does not drive and  
 5. I am her primary source of transportation. I  
 6. do not have any record, journal or log to track my  
 7. day to day whereabouts. I cannot recall or recreate  
 8. where I was on December 8, 2010. I can state  
 9. with 100% certainty that I was not, nor had I  
 10. brought my wife Solene to the Worcester County  
 11. Courthouse on this date.

12. SWORN TO BEFORE ME

13. This 10<sup>th</sup> Day April, 2012

PATRICK A. KELLY  
 Notary Public-State of New York  
 Qualified in Albany County  
 No. 01AAK3080833  
 Commission Expires June 23, 2015

14.

15.

16.

17. [REDACTED]  
 18. [REDACTED]  
 19. [REDACTED]  
 20. [REDACTED]  
 21. [REDACTED]  
 22. [REDACTED]  
 23. [REDACTED]  
 24. [REDACTED]  
 25. [REDACTED]  
 26. [REDACTED]  
 27. [REDACTED]

DO NOT WRITE BELOW THIS LINE

**AFFIDAVIT**  
CPL 190.30(3)(f)

STATE OF NEW YORK )  
COUNTY OF RENSSELAER ) ss:

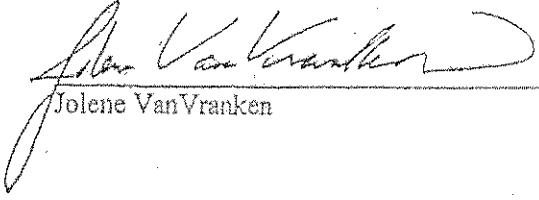
Jolene VanVranken, being duly sworn, deposes and states:

1. My name is Jolene VanVranken.
2. I make this affidavit pursuant to New York Criminal Procedure Law § 190.30(3)(f), which provides that a written statement under oath may be received in a grand jury proceeding as evidence of a person's identity as an ostensible maker, drafter, drawer, endorser or other signator of a written instrument and its falsity within the meaning of New York Penal Law § 170.00.
3. This affidavit is made on personal knowledge, and on information and belief where indicated.
4. On information and belief, as of September 15, 2009, I was enrolled in the Working Families Party and registered to vote in the City of Troy, County of Rensselaer and State of New York. However, the registration was not current. In June, 2010, I moved from the City of Troy to Pittstown, in Rensselaer County, New York.
5. Attached as Exhibits "A" and "B" are copies of an absentee ballot application and absentee ballot envelope which I understand were filed with the Rensselaer County Board of Elections in connection with the September 15, 2009 primary held for voters of the City of Troy. Both documents purport to be an authentic creation of mine, that is, both purport to have been made or completed by me.
6. The absentee ballot application attached as Exhibit "A" contains entries which I did not make or authorize. I did not sign the application, and I did not authorize anyone to sign

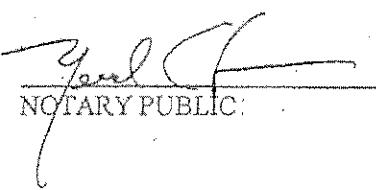


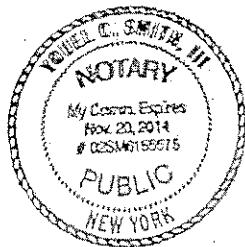
the application on my behalf. I was not the source of the information in the "Where will you be on Election Day" section of the application, and the information in that section of the application is false. I did not make the entry in that section of the application, and I did not authorize anyone to make that entry on my behalf. I was not the source of the information in the "Delivery of PRIMARY election ballot" section on the application. I did not make the entry in that section of the application, and I did not authorize anyone to make that entry on my behalf.

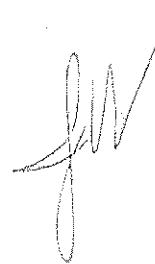
7. The absentee ballot envelope attached as Exhibit "B" contains entries which I did not make or authorize. I did not sign the ballot envelope, and I did not authorize anyone to sign the ballot envelope on my behalf. I did not date the ballot envelope, and I did not authorize anyone to date the ballot envelope on my behalf.

  
Jolene VanVranken

Subscribed and sworn to before me  
this 17 day of December, 2010.

  
\_\_\_\_\_  
NOTARY PUBLIC





Letter of Opinion Case 1203-680-17 Jolene Van Vranken Report Page 2

Although sufficiently clear for examination purposes, this opinion was reached using documents that were not originals. It is highly unlikely my opinion would change after examining the originals. However, the examination of the original documents is always requested prior to any court testimony.

In order to establish that a particular person wrote a questioned writing, an examination with known genuine writings must show substantial agreement in sufficient handwriting characteristics to identify the maker and eliminate the possibility of any other writer. The handwriting characteristics that are evaluated include line quality, pressure patterns, rhythm, slant, size and proportions, utilization of spatial alignment, initial and terminal strokes, writing speed, skill level, letter forms, types of connectors, method of construction, and pattern formation.

I am willing to testify as to these facts before a court of law and support my opinion in Court.

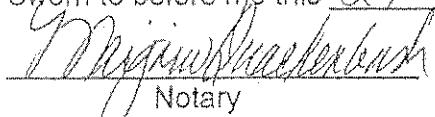
Attached is a copy of my current statement of qualifications that sets forth my background and experience that qualifies me to undertake the examination requested and render the opinions given in this report.

Sincerely,



Mr. Robert Baier  
Forensic Document Examiner

Sworn to before me this 29 day of March 2012.

  
Notary

MARJORIE L. QUACKENBUSH  
Notary Public, State of New York  
Registration No. 01QU6132757  
Qualified in Orange County  
Commission Expires Aug. 29, 20 13